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Intellectual Property Administration
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PATENT APPLICATION

ATTORNEY DOCKET NO. 200313614-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Gregory E. Tierney, et al.

Confirmation No.: 9868

Application No.: 10/760,652

Examiner: Mardochee Chery

Filing Date: January 20, 2004

Group Art Unit: 2188

Title: SYSTEMS AND METHOD FOR CREATING ORDER POINTS

Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner date,

March 13, 2007, rejecting the following claims 1 - 34

The fee for this Notice of Appeal is (37 CFR 1.17(B)) \$500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.13 6(a) apply.

- (a) Applicant petitions for an extension of time under 37 CFR 1.136 (FEES: 37 CFR 1.17 (a)-(d) for the total number of months checked below:

1st Month
\$120

2nd Month
\$450

3rd Month
\$1050

4th Month
\$1690

- The extension fee has already been filed in this application.

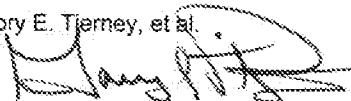
- (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 08-2025 the sum of \$ 500.00. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees.

Respectfully submitted,

Gregory E. Tierney, et al.

By:



GARY J. PITZER

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Date: May 4, 2007

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